

Minutes  
Catawba County Board of Commissioners  
Regular Session, Monday, October 1, 2007 9:30 a.m.

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The Catawba County Board of Commissioners met in regular session on Monday, October 1, 2007 at 9:30 a.m. in the 1924 Courthouse, Robert E. Hibbitts Meeting Room, 30 North College Avenue, Newton, North Carolina.

Present were Chair Katherine W. Barnes, Vice-Chair Barbara G. Beatty and Commissioners Dan Hunsucker and Lynn Lail.

Commissioner Glenn E. Barger was absent.

Also present were County Manager J. Thomas Lundy, Assistant County Manager Lee Worsley, County Attorney Debra Bechtel, Deputy County Attorney Anne Marie Pease and County Clerk Barbara Morris.

1. Chair Katherine W. Barnes called the meeting to order at 9:30 a.m.
2. Chair Barnes led the Pledge of Allegiance to the Flag.
3. Commissioner Lynn M. Lail offered the invocation.
4. Vice-Chair Barbara G. Beatty made a motion to approve the minutes of the Regular Meeting of Monday, September 17, 2007. The motion carried unanimously.
5. Recognition of Special Guests: Chair Barnes welcomed everyone present. She recognized Louis Woods and the recent dedication of Catawba Elementary School.
6. Comments for Items not on the Agenda. None.
7. Presentations:  
Ms. Jackie McSwain, District Engineer of the North Carolina Department of Transportation (NCDOT), presented a report on the secondary road improvement priorities for Catawba County approved by the North Carolina Board of Transportation for fiscal year 2007-2008. Since North Carolina law gives the North Carolina Board of Transportation the authority to approve these projects, the Board of Commissioners receives this report for information only. It is expected that these projects should begin by April 15, 2008 and completed by October 2008. Vice-Chair Beatty asked about the criteria used to determine the priorities and Ms. McSwain responded that the width of the road, how many homes were on the road and how many buses traveled the route were considered. Chair Barnes asked about the DOT meeting with Catawba County Schools regarding Blackburn Elementary School and the surrounding roads and the speed limits on these roads and wanted to reiterate this was a real concern for both the School Board and the Board of County Commissioners. Ms. McSwain suggested the request be made in writing and indicated one study could be done per calendar year. She said she would get back with the Board on the status of that request and asked that the approved minutes of this minutes be forwarded to her and would suffice as a request. Vice-Chair Beatty made a motion for the Board to accept this report. The motion carried unanimously.
8. Appointments:  
Vice-Chair Beatty recommended the reappointment of Joyce Beatty for a second term on the Library Board of Trustees. This term will expire June 20, 2011. These recommendations came in the form of a motion. The motion carried unanimously.
9. Consent Agenda:  
County Manager J. Thomas Lundy presented the following items under the consent agenda and noted all were with the recommendation of subcommittees:
  - a. A request to approve the appropriation of funds, provided through grants from Centro Latino and Community Schools of Catawba County and \$2871 in funds from the Cooperative Extension budget and to amend the department's outcomes to reflect the result of this additional funding which will enable the county's 4-H program to provide additional after school training and programming to a larger and more diverse group of students by increasing staffing hours (youth affected from 600 to 800 and a new outcome of 100 school aged child care workers participating in after school programs). One staff position has been in existence since 1992, providing programs and training to elementary students and school-age child care providers through the After School Program. The original goal was to take 4-H programming into the schools to improve the quality of after school programs.

b. A request to approve the appropriation of \$2200 to construct a stairway linking two parking lots at the rear of the Main County Library, located at 115 West C Street in Newton. A parking lot used by a now closed Hardees restaurant was recently purchased for additional parking for the Main Library. Accessibility to this lot is difficult for library users because of an incline across a strip of vegetation. The stairway will connect the lower level parking lot with the parking area directly behind the library, providing increased safety and convenience. Both parking lots are in good condition. The addition of the stairway will enable library users and those using the library auditorium to safely and conveniently access the library from the lower parking lot. A quote of \$1200 was obtained from Henry Burns Construction Company for grading out the area for the stairs and landings, forming the stairs, for the 300 psi concrete materials to make the stairs, and for placing and finishing of the concrete. A quote from Specialty Metals Works was obtained, not to exceed \$1000, for a handrail. The total cost of the project will not exceed \$2200.

c. A request to approve an increase in the dinner reimbursement allowed for County employees from \$15 to \$18 per day, effective January 1, 2008. The reimbursements allowed for breakfast and lunch would remain unchanged. According to current County policy, actual meal costs incurred by employees while traveling on County business are reimbursed, upon departmental approval. Employees must provide receipts detailing expenses. Reimbursement rates for a 24-hour period for travel are as follows: breakfast, \$7.00; lunch, \$10.00; dinner, \$15.00. These rates, which include tips, have not been adjusted since 1995 and, due to rising costs, staff requested the dinner meal reimbursement be increased to \$18. This increase will become effective January 1, 2008. The ordinance read as follows:

Ordinance No. 2007- \_\_\_\_\_

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS, that the Catawba County Code of Ordinances, Chapter 28 - Personnel, Article XI - Travel Policy for County Employees or Officials, Section 28-370 – Subsistence, is hereby amended as follows:

Section 28-370 Subsistence

(c) Lodging and meals. Lodging and meals shall be reimbursed as follows:

(1) Guidelines for reimbursement rates for a 24-hour period for travel within this state are as follows:

- a. Breakfast \$7.00
- b. Lunch \$10.00
- c. *Dinner* *\$18.00*
- d. Lodging: Conference rates

(2) Tips *and taxes* are considered to be included in the meal rates in subsection (c)(1) of this section.

This the 1<sup>st</sup> day of October, 2007.

d. A request to approve a new "Buy Recycled Policy". The County's Purchasing Division is responsible for ensuring all County purchases are made in compliance with North Carolina law and the County's Procurement Code. The policy is intended to support environmental considerations during purchasing decisions for goods and services. There is an increasing focus on what are termed "green" policies and services, those that are environmentally conscious. There are many ways to evaluate "green products". The term includes recycled content products as well as environmentally preferable products. The "Four R's of Recycling" are reduce, reuse, recycle and re-buy. Pursuant to the new policy, County employees will be encouraged to procure products that have recycled content, when feasible. Products made with recycled content create a market for the recyclables placed in home and office recycling bins. Recycled content products are usually cheaper or available at the same prices as virgin products. When a product is a little more costly, employees will be asked to consider the life cycle cost of the product, which gives additional consideration to attributes such as durability, maintenance, reusability and the cost of disposal at the end of the product life. The County's Purchasing Agent will work with the County's Waste Reduction Coordinator/Educator to inform County employees of the "green products" available that could be used to perform their duties. A Buy Recycled workshop will be conducted to start the Buy Recycled program. The policy will include tracking of all purchases related to recycled products. County

Manager Lundy thanked both Debbie Anderson and Amanda Kain for their efforts in establishing this policy.

e. A request to adopt a resolution regarding the donation of used County computers to non-profit organizations serving the needs of children. The first donation under this new resolution will be made to the Hickory Sunrise Rotary Club. The Hickory Sunrise Rotary Club works with the Hickory Public Schools, Exodus Homes, individuals and businesses who have donated computer equipment to provide computers for school children. Hickory Public Schools has provided a room at the old Green Park School where volunteers from the Rotary Club and Exodus Homes test and repair the computers. Each computer is loaded with an encyclopedia, a student writer and educational games. Families receiving the computers are selected based upon need. Thus far, the club has worked with Sweetwater, Longview, Southwest, Oakwood and Jenkins Elementary Schools. Computers to be donated to this program will be selected by the County's Information Technology Department. The County currently has approximately 50 computers with monitors and keyboards that are outdated for the County's use and are surplus. Before computers are disposed of, Information Technology staff deletes all information from the hard drives. Future donations of other surplus County computers will be made to non-profit clubs and groups serving the needs of children, under the same procedure. The resolution read as follows:

**RESOLUTION NO. 2007 \_\_\_\_**  
**DECLARATION OF SURPLUS PROPERTY AND DONATION TO THE**  
**HICKORY SUNRISE ROTARY CLUB**

WHEREAS, North Carolina General Statute 160A-279 authorizes a county to convey personal property to a nonprofit organization without monetary consideration as long as the property will be used for a public purpose;

WHEREAS, the Hickory Sunrise Rotary Club is a nonprofit organization that works together with the Hickory City Schools, Exodus Homes, individuals and businesses to provide computers to needy school children in Catawba County;

WHEREAS, the Catawba County Board of Commissioners authorizes the Information Technology Department to donate used County-owned computers on a periodic basis to the Hickory Sunrise Rotary Club;

THEREFORE, the Catawba County Board of Commissioners resolves that:

- The County currently has fifty surplus computers with monitors and keyboards.
- The County will have surplus computers become available in the future.
- The fifty surplus computers and future surplus computer equipment selected by the Information Technology Department will be donated to the Hickory Sunrise Rotary Club on a periodic basis.
- Other Catawba County nonprofit organizations that provide similar services to provide computers from Catawba County school children will be eligible to receive donated computer equipment.
- The Purchasing Agent shall be authorized to conduct the transfer of property and shall publish a notice summarizing the contents of this resolution and the property shall be conveyed anytime after ten days after the notice of publication.

This the 1<sup>st</sup> day of October, 2007.

Chair Barnes asked if any of the Commissioners wished to have an item broken out of the consent agenda and none were requested. Commissioner Hunsucker made a motion to approve the consent agenda. The motion carried unanimously.

10. Departmental Reports:

a. Finance:

Dr. Garret Hinshaw, Catawba Valley Community College President, came forward with an announcement that the college had received a \$1 million grant from the United States Department of Commerce's Economic Development Administration (EDA) for the creation of a simulated hospital in the new Cuyler Dunbar Building on the CVCC campus. Among the first of its kind at a community college in the country, the "Sim Hospital" will include all the features of a hospital environment and is expected to add over 300 registered nurses and other specialized health care workers to the workforce during the first three years of its operation. Dr. Hinshaw commended the County staff for making this grant a possibility and their work with the EDA made it a reality.

Mr. Rodney Miller, Finance Director, came forward to explain some of the conditions of this grant and asked the Board to approve an agreement between the County and the Economic Development Administration that would secure the \$1 million grant from the EDA that is being used to create the Sim Hospital. The agreement specifies that any excess proceeds that resulted from the sale of that property in the event of foreclosure, after payment in full to all parties involved with the original financing of the building, would be paid to the EDA to compensate for its Federal share of the grant award. He further asked the Board to authorize the County Manager to sign this agreement on behalf of the County. Commissioner Hunsucker made a motion to accept and authorize the County Manager to sign the agreement between the County and the EDA. The motion carried unanimously.

b. Tax:

County Tax Collector Jackie Spencer provided the Board with gave the annual report on settlement of taxes for fiscal year 2006-2007, as required by North Carolina General Statutes 105-352 and 105-373. Ms. Spencer reported an adjusted levy (as of June 30, 2007) of \$61,893,002 and a collection percentage, not including vehicle tax collection, of 98.04%, expected to again be one of the highest collection rates in the state. Commissioner Lail made a motion to accept the report. The motion carried unanimously.

c. Public Health:

Mr. Doug Urland, Public Health Director, requested the Board accept State grant funds for one additional school nurse for both the Catawba County and Hickory Public School systems. The State of North Carolina's budget for fiscal year 2007-2008 included funds to support 65 additional permanent school nurse positions, statewide. Formulas that take into account a school system's current nurse to student ratio, the economic status of a given community and the health needs of children in a given community were used to determine which school systems across the state had the greatest need for school nurse services. Based on this formula, the Hickory Public Schools and Catawba County Schools demonstrated the need to receive a school nurse position for each school system. Funding has been awarded in the amount of \$50,000 for each of these positions. These positions will be employed and managed by Catawba County Public Health. With the addition of these two school nurse positions, a total of 25 school nurses will serve the three schools systems in Catawba County, bringing Catawba County closer to the State's recommended nurse to student ratio of 1 nurse for every 750 students. The ratio in the Catawba County Schools would now be 1 nurse to every 1009 students, while the ratio in the Hickory Public Schools would be 1 to 880 and the ratio in the Newton-Conover City Schools would be 1 to 963, a countywide average of 1 nurse for every 978 students. Vice-Chair Beatty made a motion to approve an increase in the Public Health revenue and expenditure lines in the total amount of \$81,818 (\$40,909 for each grant, with \$50,000 prorated for October 2007 through May 2008), to fund two new school nurse positions effective October 1, 2007.

d. NC Cooperative Extension:

Ms. Donna Mull, 4H Extension Agent, requested the Board approve a resolution authorizing the creation of a Catawba County Youth Council. City and county governments and state agencies are increasingly recognizing the value of hearing the voices of young people and actively engaging youth in civic involvement. National youth development research shows teens want to be involved in meaningful ways with peers and adults to address serious issues. While youth comprise 24% of Catawba County's population, the youth voice is often not heard even when decisions are made

regarding youth-related issues. Research also shows that involving youth in the local decision-making process helps build the personal skills of young people and their future interest in civic and political involvement as adults. Youth who are more engaged in their communities have a more positive view of government. Development of a Catawba County Youth Council will provide an organized method for greater youth involvement in public policy and decision-making.

Locally, both the cities of Hickory and Newton have organized youth councils. Members meet regularly, serve on local city boards, attend city meetings, and conduct projects to benefit their respective cities. Interest in membership on the Hickory City Youth Council far exceeds the number of available spaces. Membership is restricted to youth living in those respective city limits. Although the Catawba County Youth Council will concentrate on county issues, there will be many opportunities for collaboration with the municipal youth councils.

Cooperative Extension was initially approached by County management about development of a Youth Council. Cooperative Extension's 4-H long-range plan created in 2006 lists civic engagement of youth in political and policy-making systems as a primary focus, based on a statewide needs assessment. The Board of Commissioners has a goal in this fiscal year to increase citizen engagement and public information, and a public information plan endorsed by the Board in 2006 included development of a youth council as a citizen engagement strategy. Members of the Catawba County Youth Council will be recommended by individual schools across the county. Changes in the knowledge and attitude of these young people toward civic involvement will be measured by a Civic Engagement and Attitude survey developed by North Carolina State University Extension specialists.

The resolution read as follows:

RESOLUTION 2007-

A Resolution Establishing  
A Catawba County Youth Council

**WHEREAS**, the Catawba County Board of Commissioners recognizes the importance of involving area youth, grades 9 through 12, in county government as an aspect of promoting good citizenship and thereby improving quality of life for the citizens of Catawba County; and

**WHEREAS**, the implementation of a Youth Council in order to foster and encourage input to the Catawba County Board of Commissioners requires the establishment of a Council designed to advise the Board on issues unique to the areas of concern to the youth of Catawba County; and

**WHEREAS**, the establishment of a Council for this purpose requires action by the Board of Commissioners.

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CATAWBA AS FOLLOWS:**

**Section 1. Established.**

There is hereby created and established the Catawba County Youth Council, composed of up to twenty-eight (28) members appointed by the Board of Commissioners upon recommendation from their respective school or community organization.

**Section 2. Membership; Appointment; Terms; Compensation**

(a) Appointment. The Commission shall be composed of up to twenty-eight (28) members appointed by the Board of Commissioners as follows:

(1) Two (2) representatives from each of the public high schools (Hickory High, Newton-Conover, Fred T. Foard, Catawba Valley Challenger, St. Stephens, Bunker Hill, Bandys, Maiden, Catawba Valley High, Catawba Rosenwald Education Center). One (1) home school and one (1)

private school representative. One representative from each of the following community organizations: 4-H, Boy Scouts, Girl Scouts, Centro Latino, Hmong Association, NAACP.

(2) Members to the Catawba County Youth Council shall be as appointed by the Board of Commissioners. Students wishing to serve on this Council shall submit an application to their school or community agency. Cooperative Extension will coordinate the Council and make recommendations of Youth Council members to the Board.

(3) Appointments will be for a one (1) year term, and a student may be re-appointed for an indefinite number of terms, so long as the student continues at the school for which the appointment was made.

(4) Upon occurrence of a vacancy in the office of a council member due to death, resignation, removal or other cause, a successor council member shall be named and submitted for appointment by the same entity as that naming the original appointment.

(b) Youth Council Members may be removed from office by the Catawba County Board of Commissioners with cause, including incompetence, neglect of duty or malfeasance in office.

(c) Each successor Youth Council Member shall, without any further act or instrument or conveyance, become fully vested with all rights, powers, duties and obligations of his or her predecessor, with like effect as if originally named as a commissioner herein.

(d) Each member of the Youth Council shall serve without pay, but may be reimbursed for actual expenses incidental to the performance of their duties within the limits of funds available to the Youth Council and the policies of Catawba County.

(e) Youth Council members must attend and be a student in good standing with the school at which they are appointed to represent.

### **Section 3. Organization; Meetings.**

(a) The Catawba County Youth Council, within thirty (30) days of its appointment, shall meet and elect a chairperson and such other officers as authorized herein.

(b) The Catawba County Youth Council shall maintain a record of its members' attendance, its actions, findings and recommendations, which record shall be open to the public.

(c) A quorum of thirteen (13) members or one-half of the official youth council members shall be required to be present to take any official action authorized or required by this referendum.

(d) The Catawba County Youth Council shall meet as it deems necessary, but at least one (1) time per quarter. All meetings shall be open to the public and conducted pursuant to the North Carolina Open Meetings Act.

(e) The Catawba County Youth Council shall adopt bylaws to govern the conduct of its business, and may change the same from time to time. Such bylaws may prescribe requirements for meetings of the Youth Council, duties of officers and other matters normally prescribed in bylaws in accordance with the provisions of North Carolina state law and the Catawba County Code.

(f) The Chairman shall preside at all meetings and perform other duties designated by the Catawba County Youth Council.

(g) All action by the Catawba County Youth Council pursuant to the terms of the Catawba County Code or the bylaws of the Youth Council shall be approved by an affirmative vote of at least a majority of the commission members present and voting unless a greater percentage is required by law.

(h) The Catawba County Youth Council shall also elect a Vice-Chairman, who shall act in place of the Chairman during the latter's absence or incapacity to act.

(i) The Catawba County Youth Council shall make an annual presentation of the Youth Council's activities to the Catawba County Board of Commissioners.

(j) The Catawba County Youth Council shall establish one member of their group as Secretary to the Youth Council. The Secretary shall keep minutes of all meetings of the Youth Council and shall maintain complete and accurate records of all their transactions with all such minutes, books and records to be on file in the Office of the Clerk to the Board of Commissioners, who shall be the custodian of the same. All minutes, books and records are available for inspection and copying at the Office of the Clerk to the Board of Commissioners, as provided by the North Carolina Open Records Act.

(k) The Catawba County Youth Council is not authorized to contract any indebtedness either in its own name or on behalf of the County of Catawba.

(l) Notwithstanding any other provision of this Resolution which may appear to provide otherwise, no member or members shall have the power or authority to bind or obligate any other Member, or the County, in his or its capacity.

#### **Section 4. Purposes of the Commission; Powers; Duties.**

To accomplish the purposes of the Catawba County Youth Council, and subject to the provisions and limitation otherwise provided by North Carolina General Statutes and the Catawba County Code, the Catawba County Youth Council shall have the following rights, powers, duties, authority, discretion and privileges, all of which may be exercised by them:

(a) To make recommendations to the Board of Commissioners regarding issues affecting Catawba County, emphasizing those issues of particular interest to youth.

(b) To provide leadership and guidance in matters relating to the youth of Catawba County to individuals and to public and private organizations and agencies.

(c) To comment on requests to and policies and procedures of the Catawba County Board of Commissioners related to the areas of particular interest to youth, and to recommend policies and procedures to the Board.

(d) To request from the proper officials of any agency, body, or individual, including agencies of the state and its political subdivision, and whether public or private, funding in the form of grants, endowments, donations, or other contributions to be used toward the specific goals of this Youth Council.

(e) To formulate and recommend to the Catawba County Board of Commissioners the adoption of amendments of ordinances that will, in the opinion of the Youth Council, serve to enhance the County and its surrounding areas.

#### **Section 5. Contributions**

The Catawba County Youth Council may receive contributions from private agencies, foundations, organizations, individuals and state or federal government, or any other source on behalf of



Catawba County upon approval by the Catawba County Board of Commissioners, in addition to any sums appropriated for its use by the Catawba County Board of Commissioners, to be used and accounted for as directed by the Catawba County Board of Commissioners.

Adopted, this the \_\_\_\_ day of \_\_\_\_\_, 2007.

Commissioner Hunsucker made a motion to approve the resolution to create the Catawba County Youth Council. The motion carried unanimously.

11. Other items of Business:

a. Chair Barnes noted that the Board had been provided with copies of resolutions from Catawba County Schools as well as CVCC supporting the ¼ cent sales tax referendum. She indicated the County's website had information regarding that referendum that will take place on November 6, 2007.

b. NC Cooperative Extension:

Section II (F) of the 2007/08 Budget Ordinance states: Reinventing Departments may create or abolish positions which impact the outcomes approved by the Board of Commissioners and within available revenues upon summary approval of the Board of Commissioners.

Under this provision of the Budget Ordinance, the following personnel changes are being made:

A half-time position is being changed from a 20-hour part-time to a 32-hour 4/5's position. This change is needed to provide additional programming and/or training to Community Schools of Catawba County and Centro Latino's after hour's staff and participants. The position will be permanent with benefits.

12. Attorneys' Report. None.

13. Manager's Report.

County Manager Lundy requested the Board to approve a proposed amendment to the County Code, Chapter 2 - Administration, Division 4 - Board of Trustees of the Catawba Valley Medical Center, Sec. 2-339(b), to reflect the Board of Commissioners actual practice in the appointment of members of the Board of Trustees of Catawba Valley Medical Center. Historically, the Hospital's Board of Trustees would submit two names, per vacancy, to the Board of Commissioners, which would then appoint one of the two individuals to fill the vacancy. In practice, this changed in the early 1990s, when the Hospital Board of Trustees began submitting one name per vacancy for the Board of Commissioners' consideration. The hospital's attorney and the County Attorney, in 1994, agreed to this change, however, corrected language to the code to reflect this change was never presented to the Board of Commissioners. The Hospital's Board of Trustees had also previously carried a separate surety bond for its treasurer. For many years, Catawba Valley Medical Center has maintained a surety bond which includes the activities of the Board of Trustees' treasurer. The proposed changes to the County Code, Chapter 2, would reflect both the change in practice whereby the Hospital Board of Trustees submits one name per vacancy for the Board of Commissioners' consideration and the fact that the hospital now maintains a surety bond which includes the activities of the Board of Trustees' treasurer. Vice-Chair Beatty had asked that this amendment be investigation and to make the necessary changes to reflect the actual practices that were being utilized. Due to statutory requirements that all Board members be present to adopt an ordinance, and with Commissioner Barger absent from this meeting, the final adoption of this amendment will not take place until the second reading of the amendment at the Board's October 15, 2007 meeting. Commissioner Lail made the motion to adopt the proposed amendment with the understanding that it would require a second reading. The motion carried unanimously.

14. County Manager Lundy clarified that the agenda indicated the upcoming Fall Retreat would start at 9:00 and it was moved up to 8:00 a.m. with coffee starting at 7:45 a.m. Vice-Chair Beatty asked the Chair to mention the University System meeting with Erskine Bowles. Commissioner Lail made a motion to adjourn at 10:17 a.m. The motion carried unanimously.

October 1, 2007, MB#50

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Katherine W. Barnes, Chair  
Board of Commissioners

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Barbara E. Morris, County Clerk